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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\# **CNR No. DLHC010167482026**

\+ CS(COMM) 420/2026

MANSUETO VENTURES LLC

.....Plaintiff

Through: Mr. Peeyoosh Kalra, Mr. Birjesh and Ms. Simranjot Kaul, Advocates.

versus

DNYANESHWAR ASHOK KAMBLE TRADING AS PRIME VIEW MEDIA AND TECHNOLOGY

.....Defendant

Through: None.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

O R D E R

% 27.10.2026

I.A. 29512/2026 (by plaintiff U/O-8, R-10 to decree the suit in terms of prayer (a)(b)(c) of para-56 of plaint)

1. The plaintiff has filed this application under Order 8 Rule 10 of the CPC for decreeing the suit in terms of prayer a, b and c of the paragraph no. 56 of the plaint.

2. It is contended that despite service of the summons, no one had appeared for the defendant and the right to file written statement has been forfeited on 01.10.2026.

3. It is also pointed out that even the application was attempted to be served on Dnyaneshwar Kamble i.e. the defendant on his WhatsApp Mobile

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No. 9860900229, where he replied that he does not understand as to why the application was filed when the said defendant had already closed the website, E-mail and social media, as alleged.

4. It is, thus, contended by Mr. Peeyoosh Kalra, learned senior counsel for the plaintiff that in absence of their being any written statement and suit being contested by the defendant, there are no prospects of the defendant being succeeded and the suit, accordingly, can be decreed in terms of the aforesaid prayer.

5. On 21.04.2026, an *ex-parte* injunction was granted.

6. The plaintiff, Mansueto Ventures LLC, is a globally recognized media company registered in the USA, and is claiming to be the owner of 'Inc.' brand and publication. The plaintiff claims to be the registered proprietor of the word mark 'Inc.' under the Application No. 1662389 filed on 07.03.2008 on a proposed to be used basis, with the registration pertaining to publication in Class 16, and that the mark has been used by them in India since the year 2008.

7. The defendant, Dnyaneshwar Ashok Kamble, trading as Prime View Media and Technology, manages and operates 'The Inc Magazine' through the website 'theincmagazine.com' and associated social media handles, publishing content strikingly similar in topics, tone, and style to the plaintiff's publications.

8. The plaintiff by way of the pleadings and the documents has established that the defendant by using an almost similar mark i.e. 'the Inc. Magazine' is deceptively infringing and passing off the plaintiff's word mark 'Inc.'.

9. The scope, ambit, and power of the Court to decree a suit under Order

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VIII Rule 10 CPC when a defendant fails to file a written statement within the stipulated time has been settled by the Supreme Court in ***C.N. Ramappa Gowda vs. C.C. Chandregowda***[1], wherein it has been held that where the defendant defaults in filing a written statement, the Court is empowered to pronounce judgment against the defendant, treating the averments in the plaint as correct and unrebutted, provided there are no triable issues or real prospects of a successful defence.

10. The plaintiff has successfully proved its case by placing on record the sufficient material and the same remained unrebutted. The interim relief has already been granted on 21.04.2026. Therefore, there is no reason as to why the plaintiff should be denied the relief as claimed.

11. Accordingly, the application stands allowed.

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12. In view of the order passed in I.A. 29512/2026, the suit stands decreed against the defendant in terms of prayer (a), (b) and (c) and paragraph no. 56 of the plaint.

13. Let a decree sheet be prepared by the Registry.

14. The civil suit, along with pending application(s), if any, stands disposed of.

15. The next date of hearing i.e. 26.11.2026 stands cancelled.

PURUSHAINDRA KUMAR KAURAV, J

OCTOBER 27, 2026
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[1] (2012) 5 SCC 265

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